

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

MATTHEW GIBSON,

Plaintiff,

vs.

Civil Action No. 5:21-cv-00181
Honorable Frank W. Volk

LOUISE E. GOLDSTON, individually,
COUNTY COMMISSION OF RALEIGH
COUNTY, a political subdivision,
JEFF MCPEAKE, individually,
BRIAN WHITE, individually,
BOBBY STUMP, individually,

Defendant.

PLAINTIFF'S RESPONSE TO DEFENDANT'S OMNIBUS MOTION IN LIMINE

NOW COMES Plaintiff, Matthew Gibson, by and through counsel, John H. Bryan, and for his response to DEFENDANT'S OMNIBUS MOTION IN LIMINE, states the following:

1. That, Plaintiff does not object to entry of an order prohibiting either party from mentioning, or raising the issue of liability insurance coverage, except if necessary for the approved purposes of establishing proof of agency, ownership or control, if controverted, or bias or prejudice of a witness.

2. That, Plaintiff does not object to the requested sequestration of witnesses during the course of the trial in this matter.

3. That, Plaintiff does not object to entry of an order prohibiting Plaintiff from mentioning specific figures of economic loss unless and until such damages are proven with reasonable certainty.

4. That, Plaintiff does not object to entry of an order prohibiting Plaintiff from suggesting to the jury a dollar figure for the intangible elements of pain and suffering.

MATTHEW GIBSON,
By Counsel

/s/ John H. Bryan
John H. Bryan, State Bar ID # 10259
JOHN H. BRYAN, ATTORNEY AT LAW
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For Plaintiff

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BRIAN WHITE, individually,
BOBBY STUMP, individually,
KYLE LUSK, individually,

Defendant.

CERTIFICATE OF SERVICE

I, John H. Bryan, do hereby certify that I have delivered a true copy of the foregoing PLAINTIFF'S RESPONSE TO DEFENDANT'S OMNIBUS MOTION IN LIMINE, has been served upon counsel of record by using the CM/ECF System, this the 13th day of June, 2022, and addressed as follows:

Jennifer E. Tully, Esq.
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Counsel for Raleigh County Defendants

/s/ John H. Bryan

John H. Bryan (WV Bar No. 10259)

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